

Form 149

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:

Jason S. Shirey
Tiffanie B. Shirey
fka Tiffanie B. Saylor, fka Tiffanie B. Dunkle
Debtor(s)

Bankruptcy Case No.: 17-20045-GLT
Issued Per 3/6/2017 Proceeding
Chapter: 13
Docket No.: 25 - 14
Concil. Conf.: May 4, 2017 at 11:00 AM

**ORDER OF COURT CONFIRMING PLAN AS MODIFIED
AND SETTING DEADLINES FOR CERTAIN ACTIONS**

(1.) PLAN CONFIRMATION:

IT IS HEREBY ORDERED that upon consent of the Debtor(s), the Chapter 13 Plan dated February 3, 2017 is CONFIRMED as modified at the Plan confirmation hearing. Terms of the Plan not expressly modified by this Order remain in full force and effect. A copy of this Plan was previously mailed to you. *Only those provisions which are checked below apply to this case:*

- ☐ A. For the remainder of the Plan term, the periodic Plan payment is amended to be \$ as of . Debtor(s)' counsel shall file a motion to amend the income attachment order within seven (7) days of the date of this Order.
- ☐ B. The length of the Plan is increased to a total of months. This statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved. The total length of the Plan shall not exceed sixty (60) months.
- ☒ C. Plan confirmation is on an interim basis only as a form of adequate protection. The Trustee is authorized to distribute to secured and priority creditors with percentage fees. ***A final plan conciliation conference will be held on May 4, 2017 at 11:00 AM, in 3251 U.S. Steel Tower, 600 Grant Street, Pittsburgh, PA 15219.*** If the Parties cannot resolve all disputes at the conciliation conference, a hearing will be scheduled and orally announced at the conclusion of the conference without any further written notice to any party. Parties are directed to monitor the Court's docket and read the Chapter 13 Trustee's minutes of the conciliation conference to the extent such parties desire more information regarding the outcome of the conciliation conference.
- ☐ D. Plan confirmation is subject to the resolution of all actions to determine the avoidability, priority, or extent of liens; including determination of the allowed amount of secured claims under 11 U.S.C. §506, disputes over the amount and allowance of claims entitled to priority under 11 U.S.C. §507, and all objections to claims.
- ☐ E. The allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.
- ☐ F. shall be paid monthly payments of \$ beginning with the Trustee's distribution and continuing for the duration of the plan term, to be applied by that creditor to its administrative claim, budget payments and/or security deposit. These payments shall be at the third distribution level.
- ☐ G. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim: .
- ☐ H. Additional Terms:

(2.) IT IS FURTHER ORDERED THAT THE FOLLOWING DEADLINES ARE ESTABLISHED:

A. Objections to the Plan. Pursuant to *Fed.R.Bankr.P. 2002(b)*, this Order shall not become final for a period of twenty-eight (28) days. Any party in interest with an objection to any provision of this Confirmation Order must file a written objection within that twenty-eight (28) day period. Failure to timely object shall be deemed a waiver of all objections and an acceptance of the provisions of this confirmed Plan. The Trustee may disburse funds pursuant to this confirmation order upon its entry.

B. Applications to retain brokers, sales agents, or other professionals. If the Plan contemplates sales of assets or litigation proceeds as a source of funding, Debtor(s) shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

C. Review of Claims Docket and Objections to Claims. Pursuant to *W.PA.LBR 3021-1(c)(2)*, the Debtor or Debtor's attorney, if represented, shall review the proofs of claim filed and shall file objections to any disputed claims within ninety (90) days after the claims bar date or, for late filed or amended claims, within ninety (90) days after they are filed and served. Absent an objection, the proof of claim will govern as to the classification and amount of the claim. Objections filed after the ninety (90) days specified herein shall be deemed untimely.

D. Motions or Complaints Pursuant to §§506, 507 or 522. All actions to determine the priority, avoidability, or extent of liens, all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

E. Filing Amended Plans. Within fourteen (14) days after the Bankruptcy Court resolves the priority, avoidability, or extent of a lien, or any objection to claim, the Debtor(s) shall file an amended Plan to provide for the allowed amount of the claim if the allowed amount differs from the amount stated in the plan. Debtor(s) shall also file an amended Plan within thirty (30) days after the claims bar date(s) in the event that no objection is filed and the claim(s) as filed causes the Plan to be underfunded.

(3.) ***IT IS FURTHER ORDERED THAT:***

A. After the claims objection deadline, the Plan shall be deemed amended to conform to the claims filed or otherwise allowed. If the Plan expressly modified the terms of payment to any creditor pursuant to *11 U.S.C. §1322(b)(2)*, nothing in this Order shall be construed to change the payment terms established in the Plan.

B. Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

C. Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

D. Debtor's counsel must file a fee application in accordance with *W.PA.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.

E. The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default. If the default involves failure to make a plan payment the case will result in dismissal without further hearing upon filing and service of an *Affidavit of Default* by the Trustee. The Trustee is not precluded from raising pre-confirmation defaults in any subsequent motion to dismiss.

F. In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any ***secured claim*** that is secured by the subject property, unless directed otherwise by further Order of Court.



Gregory A. Taddonio, Judge
United States Bankruptcy Court

Dated: March 13, 2017

cc: All Parties in Interest to be served by Clerk in seven (7) days

Certificate of Notice Page 4 of 6
 United States Bankruptcy Court
 Western District of Pennsylvania

In re:
 Jason S. Shirey
 Tiffanie B. Shirey
 Debtors

Case No. 17-20045-GLT
 Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-2

User: dbas
 Form ID: 149

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 Total Noticed: 54

Date Rcvd: Mar 13, 2017

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Mar 15, 2017.

db/jdb
 14345678 +Jason S. Shirey, Tiffanie B. Shirey, 2190 Madison Road, New Bethlehem, PA 16242-7312
 14345676 +ACMH Hospital, P.O. Box 579, Kittanning, PA 16201-0579
 14345677 +ACMH Hospital, c/o National Recovery Agency, 2491 Paxton Street,
 Harrisburg, PA 17111-1036
 14345679 +ACMH Hospital, c/o The SOS Group Collection Agency, PO Box 16211,
 Cleveland, OH 44116-0211
 14351017 +Allegheny Health Network, P.O. Box 645266, Pittsburgh, PA 15264-5250
 14345680 +AmeriCredit Financial Services, Inc. dba GM Financ, P O Box 183853,
 Arlington, TX 76096-3853
 14345681 +American Education Services & PHEAA, & Nelnet, PO Box 61047, Harrisburg, PA 17106-1047
 14345682 +Auto Parts Service, 313 Broad Street, New Bethlehem, PA 16242-1003
 14345687 +Bradigan Cardgard Refueling Club, PO Box 995, Kittanning, PA 16201-0995
 14358710 ++COLUMBIA GAS, 290 W NATIONWIDE BLVD 5TH FL, BANKRUPTCY DEPARTMENT, COLUMBUS OH 43215-4157
 14345685 (address filed with court: Columbia Gas Company, PO Box 742537, Cincinnati, OH 45274-2537)
 14345685 +Capital One Bank, 1500 Capital One Drive, Richmond, VA 23286-0001
 14345686 Citibank & LVNV Funding, c/o Dynamic Recovery Solutions, PO Box 25759,
 Greenville, SC 29616-0759
 14345688 +Collections Services Center, Inc., 106 North McKean St., PO Box 1623,
 Butler, PA 16003-1623
 14345690 +Direct TV, c/o Enhanced Recovery Company, PO Box 1259, Oaks, PA 19456-1259
 14345691 +Downing Sanitation, 464 Kelley Estates, Fairmount City, PA 16224-4112
 14345692 +First Premier Bank, c/o First National Collection Bureau, 610 Waltham Way,
 Sparks, NV 89434-6695
 14345693 First Premier Bank & Jefferson Capital, Systems c/o Vision Financial Group, PO Box 460260,
 Saint Louis, MO 63146-7260
 14345695 +Foundation Radiology Group, PO Box 1198, Somerset, PA 15501-0336
 14345694 GM Financial, PO Box 183834, Arlington, TX 76096-3834
 14358723 +Glade Run Medical, PO Box 977, Kittanning, PA 16201-0977
 14345696 Great Lakes, P. O. Box 3059, Milwaukee, WI 53201-3059
 14345697 +Gruver Contracting, 159 Pheasant Farm Road, New Bethlehem, PA 16242-7621
 14345698 +Heilig Meyer Furniture, c/o Dynamic Recovery Solutions, PO Box 25759,
 Greenville, SC 29616-0759
 14358729 +Jason Lewis, Esq., 423 Market Street, Kittanning, PA 16201-1441
 14358701 +LVNV Funding, c/o Firstsource, 205 Bryant Woods South, Amherst, NY 14228-3609
 14358728 +LVNV Funding, c/o Northland Group, Inc., PO Box 390846, Minneapolis, MN 55439-0846
 14345700 LVNV Funding, c/o Dynamic Recovery Solutions, PO Box 25759, Greenville, SC 29616-0759
 14345701 +Mahoning Township Municipal Authority, PO Box 60, Distant, PA 16223-0060
 14345702 +Mahoning Township Municipal Authority, PO Box 60, Distant, PA 16223-0060
 14345703 +Mahoning Township Sewage, PO Box 47, Distant, PA 16223-0047
 14345704 +Mahoning Township Sewage, PO Box 60, Distant, PA 16223-0060
 14345705 Murphy's Music, c/o Al Collection Services, 101 Grovers Mill Road, Suite 303,
 Lawrenceville, NJ 08648-4706
 14345706 +National City Bank & LVNV Funding, c/o Northland Group, Inc., PO Box 390846,
 Minneapolis, MN 55439-0846
 14358735 +PHEAA, PO BOX 8147, HARRISBURG PA 17105-8147
 14345707 +PNC Bank, 3232 Newmark Drive, Miamisburg, OH 45342-5421
 14345708 +PNC Mortgage, 3232 Newmark Drive, Miamisburg, OH 45342-5433
 14367978 +PNC Mortgage, c/o KML Law Group PC, Suite 500 BNY Mellon Independence Center,
 701 Market Street, Philadelphia, PA 19106-1538
 14345707 +PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
 14345708 +S&T Bank, 800 Philadelphia Street, Indiana, PA 15701-3908
 14373977 +Sirius Satellite, c/o EOS-CCA Collection Agency, 700 Longwater Drive,
 Norwell, MA 02061-1624
 14345709 US DEPT OF EDUCATION, CLAIMS FILING UNIT, PO BOX 8973, MADISON WI 53708-8973
 14345711 +Verizon Wireless, PO Box 4002, Acworth, GA 30101-9003
 14345712 +Windstream, 1720 Galleria Boulevard, Charlotte, NC 28270-2408
 14345712 +Windstream & LVNV Funding, c/o Firstsource, 205 Bryant Woods South,
 Amherst, NY 14228-3609

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
 cr

+E-mail/PDF: acg.acg.ebn@americaninfosource.com Mar 14 2017 01:50:37
 Capital One Auto Finance, a division of Capital On, c/o Ascension Capital Group,
 P.O. Box 165028, Irving, TX 75016, UNITED STATES 75016-5028
 14345683 E-mail/PDF: AIS.COAF.EBN@Americaninfosource.com Mar 14 2017 01:50:29
 Capital One Auto Finance, PO Box 60511, City of Industry, CA 91716-0511
 14348312 +E-mail/PDF: acg.acg.ebn@americaninfosource.com Mar 14 2017 01:50:37
 Capital One Auto Finance, c/o Ascension Capital Gr, P.O. Box 201347,
 Arlington, TX 76006-1347
 14358711 +E-mail/Text: bknotices@fenton-mcgarvey.com Mar 14 2017 01:50:59 Capital One Bank,
 c/o FENTON & MCGARVEY LAW FIRM PSC, attn: Robert Baroska, Esquire,
 2401 STANLEY GAULT PARKWAY, Louisville, KY 40223-4175
 14345684 +E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Mar 14 2017 02:08:48 Capital One Bank,
 c/o Portfolio Recovery Associates, 140 Corporate Boulevard, Norfolk, VA 23502-4952

District/off: 0315-2

User: dbas
Form ID: 149

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Total Noticed: 54

Date Rcvd: Mar 13, 2017

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center (continued)

14345689 E-mail/Text: Bankruptcy.Consumer@dish.com Mar 14 2017 01:51:25 Dish Network, PO Box 7203, Pasadena, CA 91109-7303
14345699 +E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Mar 14 2017 01:55:57 Kay Jewelers & Sterling Jewelry, c/o Portfolio Recovery Associates, PO Box 12914, Norfolk, VA 23541-0914
14355382 E-mail/PDF: resurgentbknotifications@resurgent.com Mar 14 2017 01:50:21 LVNV Funding, LLC its successors and assigns as, assignee of Windstream Communications,, Inc., Resurgent Capital Services, PO Box 10587, Greenville, SC 29603-0587
14345704 +E-mail/Text: bankruptcy_notifications@ccsusa.com Mar 14 2017 01:51:48 Nationwide Insurance, c/o Credit Collection Services, 725 Canton Street, Norwood, MA 02062-2679
14345710 E-mail/Text: bankruptcy@firstenergycorp.com Mar 14 2017 01:51:29 West Penn Power Company, PO Box 3687, Akron, OH 44309-3687

TOTAL: 10

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****

cr PNC BANK, NATIONAL ASSOCIATION
14358714 Department of Education
cr* +Americredit Financial Services, Inc. dba GM Financ, PO Box 183853, Arlington, TX 76096-3853
cr* +PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
14358704* ACMH Hospital, P.O. Box 579, Kittanning, PA 16201-0579
14358702* +ACMH Hospital, c/o National Recovery Agency, 2491 Paxton Street, Harrisburg, PA 17111-1036
14358703* +ACMH Hospital, c/o The SOS Group Collection Agency, PO Box 16211, Cleveland, OH 44116-0211
14358705* +Allegheny Health Network, P.O. Box 645266, Pittsburgh, PA 15264-5250
14358706* +Auto Parts Service, 313 Broad Street, New Bethlehem, PA 16242-1003
14358707* +Bradigan Cardgard Refueling Club, PO Box 995, Kittanning, PA 16201-0995
14358713* ++COLUMBIA GAS, 290 W NATIONWIDE BLVD 5TH FL, BANKRUPTCY DEPARTMENT, COLUMBUS OH 43215-4157 (address filed with court: Columbia Gas Company, PO Box 742537, Cincinnati, OH 45274-2537)
14358708* Capital One Auto Finance, PO Box 60511, City of Industry, CA 91716-0511
14358709* +Capital One Bank, c/o Portfolio Recovery Associates, 140 Corporate Boulevard, Norfolk, VA 23502-4952
14358712* +Collections Services Center, Inc., 106 North McKean St., PO Box 1623, Butler, PA 16003-1623
14358715* +Direct TV, c/o Enhanced Recovery Company, PO Box 1259, Oaks, PA 19456-1259
14358716* Dish Network, PO Box 7203, Pasadena, CA 91109-7303
14358717* +Downing Sanitation, 464 Kelley Estates, Fairmount City, PA 16224-4112
14358718* +First Premier Bank, c/o First National Collection Bureau, 610 Waltham Way, Sparks, NV 89434-6695
14358719* First Premier Bank & Jefferson Capital, Systems c/o Vision Financial Group, PO Box 460260, Saint Louis, MO 63146-7260
14358720* +Foundation Radiology Group, PO Box 1198, Somerset, PA 15501-0336
14358722* GM Financial, PO Box 183834, Arlington, TX 76096-3834
14358721* +Glade Run Medical, PO Box 977, Kittanning, PA 16201-0977
14358724* +Gruver Contracting, 159 Pheasant Farm Road, New Bethlehem, PA 16242-7621
14358725* +Heilig Meyer Furniture, c/o Dynamic Recovery Solutions, PO Box 25759, Greenville, SC 29616-0759
14358726* +Jason Lewis, Esq., 423 Market Street, Kittanning, PA 16201-1441
14358727* +Kay Jewelers & Sterling Jewelry, c/o Portfolio Recovery Associates, PO Box 12914, Norfolk, VA 23541-0914
14358732* Murphy's Music, c/o Al Collection Services, 101 Grovers Mill Road, Suite 303, Lawrenceville, NJ 08648-4706
14358733* +Nationwide Insurance, c/o Credit Collection Services, 725 Canton Street, Norwood, MA 02062-2679
14358734* +PHEAA, PO BOX 8147, Harrisburg, PA 17105-8147
14358736* +PNC Mortgage, c/o KML Law Group PC, Suite 500 BNY Mellon Independence Center, 701 Market Street, Philadelphia, PA 19106-1538
14358737* +S&T Bank, 800 Philadelphia Street, Indiana, PA 15701-3908
14358738* +Sirius Satellite, c/o EOS-CCA Collection Agency, 700 Longwater Drive, Norwell, MA 02061-1624
14358739* +Verizon Wireless, PO Box 4002, Acworth, GA 30101-9003
14358740* West Penn Power Company, PO Box 3687, Akron, OH 44309-3687
14358741* +Windstream, 1720 Galleria Boulevard, Charlotte, NC 28270-2408

TOTALS: 2, * 33, ## 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '++' were redirected to the recipient's preferred mailing address pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).

District/off: 0315-2

User: dbas
Form ID: 149

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***** BYPASSED RECIPIENTS (continued) *****

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Mar 15, 2017

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on March 13, 2017 at the address(es) listed below:

James Warmbrodt on behalf of Creditor PNC BANK, NATIONAL ASSOCIATION bkgroup@kmlawgroup.com
Kenneth Steidl on behalf of Joint Debtor Tiffanie B. Shirey julie.steidl@steidl-steinberg.com,
ken.steidl@steidl-steinberg.com;ifriend@steidl-steinberg.com;asteidl@steidl-steinberg.com;leslie.
nebel@steidl-steinberg.com;todd@steidl-steinberg.com;cgoga@steidl-steinberg.com
Kenneth Steidl on behalf of Debtor Jason S. Shirey julie.steidl@steidl-steinberg.com,
ken.steidl@steidl-steinberg.com;ifriend@steidl-steinberg.com;asteidl@steidl-steinberg.com;leslie.
nebel@steidl-steinberg.com;todd@steidl-steinberg.com;cgoga@steidl-steinberg.com
Office of the United States Trustee ustpreion03.pi.ecf@usdoj.gov
Ronda J. Winnecour cmecf@chapter13trusteedpa.com

TOTAL: 5